PATENT APPLICATION

IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE

Applicants:	)	"EXPRESS MAIL" mailing label No. EM578443433US
Aguzzi et al.	)	
Serial No.: _____	)	Date of Deposit: April 23, 2001
Filed: Herewith	)	I hereby certify that this paper (or fee) is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to the Commissioner for Patents, Washington, D.C. 20231
For: Prion Binding Activity in Serum and Proteins	)	
Group Art Unit: Not Assigned	)	
Examiner: Not Assigned	)	
	)	Richard Zimmermann

PRELIMINARY AMENDMENT

Commissioner for Patents
Washington, D.C. 20231

Sir:

This is a preliminary amendment to the above-identified application which is a continuation-in-part application of U.S. Serial No. 09/407,667. Please enter the following amendments.

In the Specification:

At page 1, before the first sentence, add the following sentence: --This application claims priority on PCT/EP01/03481 filed March 27, 2001 and PCT/IB00/00849 filed June 26, 2000 and is a continuation-in-part application of U.S. Patent Application Serial No.

09/407,667 filed September 28, 1999, the disclosures of which are incorporated herein by reference in their entirety.--

In the Claims:

Please amend each of claims 1-17 as follows:

1. [AMENDED] A factor which selectively interacts with a PrPSc but not with PrPc.

2. [AMENDED] The factor according to claim 1 which is selected from plasminogen, fragments of plasminogen and derivatives thereof.

3. [AMENDED] The factor according to claim 1 characterized in that it interacts with the carboxy terminus of PrPSc.

4. [AMENDED] The factor according to claim 1 characterized in that it is capable of interacting with PrPSc of different species.

5. [AMENDED] A composition comprising a PrPSc and a factor according to claim 1.

6. [AMENDED] The composition according to claim 5, wherein PrPSc is bound to the factor.

7. [AMENDED] The composition according to claim 6, wherein PrPSc is noncovalently bound to the factor.

8. [AMENDED] A carrier comprising a factor according to claim 1 or a composition according to claim 5.

9. [AMENDED] The carrier according to claim 8 which is selected from magnetic beads, filter stripes, microtiter plates, non-magnetic beads, plasmon surface resonance plates, microarray plates, liquid carriers undergoing phase transition to solid, and combination thereof.

10. [AMENDED] A ligand which specifically interacts with a composition according to claim 5.

11. [AMENDED] Diagnostic kits containing a factor according to claim 1 or a composition according to claim 5 or a carrier according to claim 8 or a ligand according to claim 10, optionally together with further components such as buffers, reagents for the detection and working instructions.

12. [AMENDED] Pharmaceutical composition comprising a factor according to claim 1 or a ligand according to claim 10.

13. [AMENDED] A process for detecting a PrPSc in a sample, characterized in that the sample is contacted with a factor according to claim 1 or a carrier according to claim 8 or a ligand according to claim 10.

14. [AMENDED] A process for removing PrPSc from biological material, comprising the step of contacting the material with a factor according to claim 1 or a carrier according to claim 8 or a ligand according to claim 10.

15. [AMENDED] Method for diagnosing human transmissible spongiform encephalopathies and prion encephalopathies of animals, characterized in that the material of the organism to be tested is brought into contact with a factor according to claim 1 or a carrier according to claim 8 or a ligand according to claim 10.

16. [AMENDED] Use of a factor according to claim 1 or a composition according to claim 5 or a carrier according to claim 8 or a ligand according to claim 10 for the diagnosis of human transmissible spongiform encephalopathies or prion encephalopathies of animals.

17. [AMENDED] Use of a factor according to claim 1 or a composition according to claim 5 or a carrier according to claim 8 or a ligand according to claim 10 for removing PrPSc from and/or inactivating PrPc in a biological material.

REMARKS

The forgoing amendments are made to amend multiple dependencies and correct various informalities in the claims and to place those claims in better condition for allowance. No new matter is introduced thereby. It is submitted that each of claims 1-17 is now in condition for allowance. Should the Examiner wish to discuss any issue of form or substance he or she is invited to contact the undersigned attorney at the telephone number listed below.

Respectfully submitted,

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By 

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April 23, 2001

VERSION WITH MARKING TO SHOW CHANGES MADE

In the Claims:

The claims have been amended as follows:

1. [AMENDED] A factor [Factor] which selectively interacts with a PrPSc but not with PrPc.

2. [AMENDED] The factor [Factor] according to claim 1 which is selected from plasminogen, fragments of plasminogen and derivatives thereof.

3. [AMENDED] The factor [Factor] according to [any of] claim[s] 1 [or 2,] characterized in that it interacts with the carboxy terminus of PrPSc.

4. [AMENDED] The factor [Factor] according to [any of] claim[s] 1 [to 3,] characterized in that it is capable of interacting with PrPSc of different species.

5. [AMENDED] A composition [Composition] comprising a PrPSc and a factor according to [any of] claim[s] 1 [to 4].

6. [AMENDED] The composition [Composition] according to claim 5, wherein PrPSc is bound to the factor.

7. [AMENDED] The composition [Composition] according to claim 6, wherein PrPSc is noncovalently bound to the factor.

8. [AMENDED] A carrier comprising a factor according to [any of] claim[s] 1 [to 4 and/] or a composition according to [any of] claim[s] 5 [to 7].

9. [AMENDED] The carrier [Carrier] according to claim 8 which is selected from magnetic beads, filter stripes, microtiter plates, non-magnetic beads, plasmon surface resonance plates, microarray plates, liquid carriers undergoing phase transition to solid, and combination thereof.

10. [AMENDED] A ligand [Ligand] which specifically interacts with a composition according to [any of] claim[s] 5 [to 7].

11. [AMENDED] Diagnostic kits containing a factor according to [any of] claim[s] 1 [to 4 and/] or a composition according to [any of] claim[s] 5 [to 7 and/] or a carrier according to [any of] claim[s] 8 [and 9 and/] or a ligand according to claim 10, optionally together with further components such as buffers, reagents for the detection and working instructions.

12. [AMENDED] Pharmaceutical composition comprising a factor according to [any of] claim[s] 1 [to 4 and/] or a ligand according to claim 10.

13. [AMENDED] A process for detecting a PrPSc in a sample, characterized in that the sample is contacted with a factor according to [any of] claim[s] 1 [to 4 and/] or a carrier according to claim[s] 8 [or 9 and/] or a ligand according to claim 10.

14. [AMENDED] A process for removing PrPSc from biological material, comprising the step of contacting the material with a factor according to [any of] claim[s] 1 [to 4 and/] or a carrier according to [any of] claim[s] 8 [or 9 and/] or a ligand according to claim 10.

15. [AMENDED] Method for diagnosing human transmissible spongiform encephalopathies and prion encephalopathies of animals, characterized in that the material of the organism to be tested is [in] brought into contact with a factor according to [any of] claim[s] 1 [to 4 and/] or a carrier according to [any of] claim[s] 8 [to 9 and/] or a ligand according to claim 10.

16. [AMENDED] Use of a factor according to [any of] claim[s] 1 [to 4 and/] or a composition according to [any of] claim[s] 5 [to 7 and/] or a carrier according to [any of] claim[s] 8 [or 9 and/] or a ligand according to claim 10 for the diagnosis of human transmissible spongiform encephalopathies or prion encephalopathies of animals.

17. [AMENDED] Use of a factor according to [any of] claim[s] 1 [to 4 and/] or a composition according to [any of] claim[s] 5 [to 7 and/] or a carrier according to [any of] claim[s] 8 [or 9 and/] or a ligand according to claim 10 for removing PrPSc from and/or inactivating PrPc in a biological material.